

that the House had passed a bill supplementary to an act to amend the 2nd and 7th sections of an act to organize the supreme court of the State of Texas, approved 12th May, 1846, which originated in the Senate.

A bill supplementary to an act concerning the estates of dec'd soldiers, approved December 17, 1851; and

A bill for the relief of Charles R. Slaughter, were read second time, and ordered to be engrossed.

A bill for the relief of H. R. W. Hill; read second time.

Mr. Hill moved to fill the blank with 8 per cent.; lost by the following vote :

YEAS—Messrs. Bigelow, Bogart, Day, Duggan, Ford, Grimes, Hill, Kinney, Parker, and Sterne—10.

NAYS—Messrs. Armstrong, Burks, Dancy, Davis, Eddy, Hart, Merriman Meusebach, Reaves, Scott, Taylor and Truit—12.

On motion of Mr. Grimes, the bill was laid on the table.

On motion of Mr. Bigelow, the Senate adjourned until 10 o'clock Monday morning.

MONDAY, January 26, 1852.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Baggerly—roll called—quorum present.

The journal of Saturday was read and adopted.

Mr. Parker presented the petition of Sarah W. Bracken; referred to the committee on Private Land Claims.

Mr. Hill presented the petition of Thomas Harvell; referred to the committee on Private Land Claims.

Mr. Reaves, chairman of the committee on Engrossed Bills, reported a bill supplementary to an act concerning the estates of deceased soldiers, approved December 17th, 1851; and

A bill for the relief of Charles R. Slaughter, correctly engrossed.

Mr. Bogart, chairman of the committee on Counties and County Boundaries, to whom was referred a bill to incorporate the town of Washington; and a bill to create the county of Delta, reported the same back to the Senate and recommended their passage.

Mr. Day made the following report :

Your Select committee, to whom was referred the petition of sundry citizens, praying the Legislature to pass an act to prevent certain planters from depositing cotton seed outside of their en-

closures, most respectfully beg leave to submit the following report :

Your committee believe that a common practice prevails in some portions of the State, of planters depositing large quantities of cotton seed outside of their respective enclosures, to which the hogs of their neighbors gain access, and which often, if not invariably destroys the lives of the hogs, inflicting much injury on the property of innocent persons. Your committee are also of opinion that no person or persons have any right to place poisonous or deliterious substances in a position so conspicuous as to injure or destroy the property of others. They, therefore, unanimously report in favor of the prayer of the petitioners ; and, also, report the accompanying bill, and most respectfully recommend its passage. All of which is respectfully submitted.

A bill to prohibit the depositing of cotton seed outside of enclosures ; read first time.

Mr. Hill introduced a bill to determine what lands are forfeited ; read first time.

On motion of Mr. Hill, the rule was suspended, bill read second time, and referred to the committee on the Judiciary.

Mr. Merriman introduced joint resolution to authorize the Comptroller to adjust and settle the accounts of all attorneys, other than District Attorneys and Attorney General, who have by direction of law or engagement of the Government, performed services for the State or Republic of Texas ; read first time.

Mr. Day introduced joint resolution for the relief of William E. Howth : read first time.

On motion of Mr. Day, the rule was suspended, joint resolution read second time, and referred to the committee on Public Debt.

Mr. Scott, by leave, withdrew the petition of Francis Ramsdale, and accompanying documents.

ORDERS OF THE DAY.

A bill for the investigation and determination of eleven league land claims in Robertson's and part of Burnett's colony ; read.

Mr. Armstrong offered the following amendment : Strike out section 6th, and insert in lieu thereof,

"Sec. 6. That the court shall proceed to investigate and determine if any lands claimed by virtue of any such title, papers or concessions, have been forfeited, and if found to have been

forfeited, to enter judgment accordingly ; and the right of the State in all such forfeited land shall remain as heretofore."

Mr. Merriman offered the following as an amendment to the amendment offered by Mr. Armstrong :

Add at end of section 6, "that upon the trial of any land titles under this act, the State shall be the only party defendant, and shall be defended by the district attorney for the district where suit is brought ; and if by the judgment of the court, the title to the land in controversy shall be established in the State, then all titles, locations or entries upon the land subsequent to the date of the plaintiff's grant, shall be null and void, and such land shall belong to the State, and shall not be subject to entry or location, but shall be sold in such manner as the Legislature shall direct, and the money arising from such sale, paid into the State Treasury."

Mr. Merriman moved to lay the bill and amendments on the table ; lost.

On motion of Mr. Merriman, the bill and amendments were referred to the committee on the Judiciary.

Mr. Duggan introduced a bill supplementary to an act to locate permanently the county seat of Lavaca county ; read first time.

On motion of Mr. Duggan, the rule was suspended, bill read second time, and ordered to be engrossed.

On motion of Mr. Bogart, the rule was further suspended, bill read third time and passed.

Mr. Dancy introduced a bill to incorporate the Brazos and Colorado Railroad company ; read first time.

On motion of Mr. Dancy, the rule was suspended, bill read second time, and referred to the committee on Internal Improvements.

A bill to create the county of Burnett ; read second time, and passed to third reading.

On motion of Mr. Ford, the rule was suspended, bill read third time and passed.

A bill to relinquish the right of the State to certain lands therein named ; read second time.

Mr. Dancy moved to refer the bill to the committee on the Judiciary ; lost.

Mr. Reaves offered the following amendment to come in at the end of the last section :

" Provided, that nothing in this act shall be so construed as to relinquish the rights of the State to any of the Islands or salt lakes situated in the territory embraced in this act ; " adopted by the following vote :

YEAS—Messrs. Dancy, Duggan, Gray, Grimes, Hart, Hill, Reaves, Scott, Taylor, Truit and Williams—11.

NAYS—Messrs. Armstrong, Bigelow, Bogart, Davis, Day, Doane, Ford, Kinney, Merriman, Meusebach and Wilson—11.

There being a tie, the President voted in the affirmative.

Mr. Hart offered the following amendment :

Strike out the words "respective counties herein mentioned," in eleventh line, section 2, and insert in lieu thereof, "government of the Republic of Texas."

On motion of Mr. Taylor, the Senate adjourned until 3 o'clock p. m.

3 O'CLOCK, P. M.

Senate met—roll called—quorum present.

A bill to relinquish the right of the State to certain lands therein named, being under consideration when the Senate adjourned, was taken up.

On motion of Mr. Bigelow, a call of the Senate was made.

The Senate being full, the call was suspended.

The question being on the adoption of the amendment offered by Mr. Hart, was taken, and amendment rejected by the following vote :

YEAS—Messrs. Burks, Dancy, Hart, Reaves and Taylor—5.

NAYS—Messrs. Armstrong, Bigelow, Bogart, Davis, Day, Doane, Duggan, Eddy, Ford, Gray, Grimes, Hill Kinney, Merriman, Meusebach, Parker, Scott, Sterne, Truit, Williams and Wilson—21.

Mr. Dancy offered the following amendment :

"Provided, that nothing in this act shall be construed to relieve the commissioners or attorney from the penalties incurred by a violation of the provisions of the law under which they acted;" rejected.

Mr. Dancy offered the following amendment :

Strike out section 4th ; rejected.

The bill was then passed to third reading by the following vote :

YEAS—Messrs. Armstrong, Bigelow, Bogart, Davis, Day, Doane, Ford, Gray, Grimes, Kinney, Merriman, Meusebach, Parker, Scott, Sterne, Williams and Wilson—17.

NAYS—Messrs. Burks, Dancy, Eddy, Hart, Hill, Taylor and Truit—7.

Mr. Meusebach presented the memorial of Antonio Manchaca ; read and referred to the committee on Claims and Accounts.

A bill concerning irrigation property ; read second time, and,

on motion of Mr. Taylor, referred to the committee on State Affairs.

On motion of Mr. Taylor, Mr. Doane was added to the committee on State Affairs.

A bill making an appropriation to complete the General Land Office ; read third time and passed.

A bill to provide for the construction of Railroads in Texas ; read second time, and, on motion of Mr. Taylor, referred to the committee on Internal Improvements.

A bill for the relief of the heirs of Mrs. Nancy Anderson ; read and ordered to be engrossed.

Mr. Davis presented the petition of Enos Hardin ; read, and referred to the committee on Public Debt.

On motion of Mr. Davis, the resolution of the Senate relative to an adjournment on the 7th inst., until first Monday in July, was taken up.

On motion of Mr. Taylor, the resolution was amended by striking out "first Monday in July."

Mr. Reaves offered the following as a substitute for the resolution :

"Resolved, That with the consent of the House of Representatives, the Legislature will adjourn sine die, on the 9th February, 1852."

On motion of Mr. Grimes, the resolution and substitute were laid on the table.

Mr. Sterne introduced a bill supplementary to an act granting certain powers to the corporation of Galveston city, approved December 5, 1851 ; read first time, and, on motion of Mr. Sterne, the rule was suspended, bill read second time, and referred to the committee on the Judiciary.

On motion of Mr. Merriman, a bill to pay Frederick Dawson, was taken up, read second time, and referred to the committee on Claims and Accounts.

On motion of Mr. Duggan, a bill to establish and incorporate the Gonzales College, was taken up, read second time, and referred to the committee on Education.

A bill for the relief of Charles R. Slaughter ; read third time, and passed.

A bill supplementary to an act concerning estates of deceased soldiers, approved December 17, 1851 ; read third time, and, on motion of Mr. Hill, referred to the committee on the Judiciary.

A bill for the relief of the persons taken prisoners by the Mexican army at the Mission of Refugio, in 1841 ; read and rejected.

A bill to incorporate the Vicksburg and El Paso Railway company; read, and, on motion of Mr. Bogart, referred to a Select committee.

On motion of Mr. Sterne, the Senate adjourned until 10 o'clock to-morrow morning.

TUESDAY, January 27, 1852.

The Senate was called to order by the President, pursuant to adjournment—prayer by the Rev. Mr. Baggerly—roll called—quorum present.

The journal of yesterday was read and adopted.

The President appointed Messrs. Bogart, Eddy, Truit, Duggan and Dancy the committee to which was referred a bill to incorporate the Vicksburg and El Paso rail-way company.

Mr. Deane, from the committee on State Affairs, to which was referred a bill concerning irrigation property, reported the same back to the Senate and recommended its passage.

Mr. Merriman, from the committee on Public Debt, made the following report:

To the President of the Senate:

The committee on Public Debt, to whom was referred the memorial of E. W. Moore, formerly Commodore of the Texas navy, claiming, among other things, a balance due him from the Republic of Texas of thirteen hundred and eighty dollars 86 cents, being amount due on pay tickets which had been issued to certain seamen belonging to said navy named in document A, referred with said memorial, have investigated the above named claim set forth in said memorial, and the documents and evidence to sustain the same, and find the following facts:

First. That the persons named in Document A were seamen in the navy of the Republic of Texas, and that pay tickets were issued to them for their services; that they sold the same to sailor landlords and shipping masters in New Orleans; that afterwards, in the spring of 1843, said Moore was compelled to redeem said pay tickets with his own private means, as the sailor landlords and shipping masters who held them refused to ship any more men for the Texas navy, until said pay tickets were paid; and the said Moore paid the balance due on said tickets, in order to obtain seamen to man the naval vessels belonging to the Republic of Texas, and then in the port of New Orleans, under his